United Nations A/61/705–S/2007/23

General Assembly
Security Council

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19 January 2007

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General Assembly
Sixty-first session
Agenda items 13 and 14
The situation in the Middle East
Question of Palestine

Security Council
Sixty-second year

Identical letters dated 18 January 2007 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council

I am writing to inform you of the alarming number of terror attacks carried out by Palestinian terrorists operating in the Gaza Strip over the past three weeks.

From Monday, 25 December 2006, until yesterday, Wednesday, 17 January 2007, no fewer than 46 rockets were fired by Palestinian terrorists in the Gaza Strip at Israeli communities in the south. These rocket attacks included the launching of Qassams and mortar shells. In total, 19 rockets landed and detonated inside Israel, seriously injuring a civilian and causing damage to infrastructure and vehicles. Countless civilians were also treated for trauma and shock.

Palestinian terror over the past few months has continued in grave violation of the ceasefire agreed upon by Prime Minister Ehud Olmert and President Mahmoud Abbas in late November. The persistence of Palestinian terror is an outright act of provocation, threatening the viability of sustainable peace and security in our region. The Palestinians must adhere to the agreed principles of the ceasefire and spare no effort to put an end to the violence and terror against Israel.

I should be grateful if you would arrange to have the text of the present letter circulated as a document of the General Assembly, under agenda items 13, "The situation in the Middle East", and 14, "Question of Palestine", and of the Security Council. An identical letter has been sent to Vitaly Churkin, President of the Council.

(*Signed*) Daniel **Carmon**
Ambassador
Chargé d'affaires a.i.

07-21478 (E) 220107

United Nations A/61/706–S/2007/28

General Assembly
Security Council

Distr.: General
22 January 2007

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General Assembly
Sixty-first session
Agenda items 76 and 80

Consideration of effective measures to enhance the protection, security and safety of diplomatic and consular missions and representatives

The rule of law at the national and international levels

Security Council
Sixty-second year

Letter dated 19 January 2007 from the Chargé d'affaires a.i. of the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

Upon instruction from my Government, I wish to bring to your attention the following:

On 11 January 2007, in yet another flagrant violation of the basic principles of international law and fundamental provisions governing diplomatic and consulate affairs, the United States military forces in Iraq attacked the Consulate General of the Islamic Republic of Iran in Erbil (Iraq), abducted five Iranian consular officers and confiscated some documents and other properties.

This illegal act, together with the unlawful arrest and detention of some Iranian diplomats and officials by the United States forces in Baghdad a few weeks earlier, have once again put in display the amount of contempt practised by the United States of America against international law and the basic principles on which the international relations are based and operate.

The Islamic Republic of Iran strongly condemns this insolent illegal act, which clearly violates the principles of "personal inviolability of consular officers" and the "inviolability of the consular premises, archives and documents" enshrined in the Vienna Convention on Consular Relations (1963).

This illegal United States act is also against numerous United Nations resolutions, including, inter alia, resolution 61/31, which strongly condemns acts of violence against diplomatic and consular missions and representatives, emphasizes that such acts can never be justified and urges States to take all appropriate measures at the national and international levels to prevent any such acts of violence against the missions, representatives and officials, including during a period of

07-21596 (E) 230107

armed conflict, and also urges all States to ensure, with the participation of the United Nations where appropriate, that such acts of violence are fully investigated with a view to bringing offenders to justice.

The Islamic Republic of Iran holds the United States Government fully responsible for the consequences of this unlawful act, and for the safety and security of the said consular officers. It also calls for the immediate release of the abducted consular officers, the return of the properties and the documents confiscated and for the compensation of the damages inflicted on the Islamic Republic of Iran's consular officers and premises. Moreover, the Government of the Islamic Republic of Iran reserves its right to pursue this issue at the pertinent international fora. Indeed, the said attack constitutes a matter of grave concern that requires an urgent and resolute response on the part of the United Nations, and in particular the Security Council.

In this regard, a note verbale has also been sent to the Embassy of Switzerland (the Interest Section of the United States of America) in Tehran by the Ministry of Foreign Affairs of the Islamic Republic of Iran on 11 January 2007, an unofficial translation of which is herewith attached (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda items 76 and 80, and of the Security Council.

(*Signed*) Mehdi **Danesh-Yazdi**
Chargé d'affaires a.i.

Annex to the letter dated 19 January 2007 from the Chargé d'affaires a.i. of the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

11 January 2007

Note verbale

The Ministry of Foreign Affairs of the Islamic Republic of Iran presents its compliments to the Embassy of Switzerland (the Interest Section of the United States of America) in Tehran, and has the honour to inform the latter that according to the information received, the United States military forces, in yet another inhumane act and in violation of international law, attacked the Consulate General of the Islamic Republic of Iran in Erbil at 5 a.m. on Thursday, 11 January 2007, disarmed the guards on the premises, broke down the doors into the building, beat and injured the consular officers, and thereafter illegally detained five of the Iranian consular officers, namely 1. (Mr.) Naser Bagheri, 2. (Mr.) Mousa Chegini, 3. (Mr.) Abbas Hatami Kakavand, 4. (Mr.) Hamid Askari Shokouh and 5. (Mr.) Majid Ghaemi.

It is worth mentioning that the liaison office of the Islamic Republic of Iran has been active and operating in Erbil since 1992, and that in the current (Iranian) year, based on an agreement between the Governments of the Islamic Republic of Iran and the Republic of Iraq, its status was officially changed into Consulate General and official note verbales were exchanged between the two countries accordingly.

Since the aforesaid consular officers enjoy immunities, the unlawful action taken by the United States forces is a blatant violation of the provisions of the 1963 Vienna Convention on Consular Relations, and also contravenes other international legal obligations of the United States, including, inter alia, under United Nations General Assembly resolutions on the security and safety of diplomatic and consular missions and representatives.

By attacking the Consulate General of the Islamic Republic of Iran in Erbil and causing damages, the Government of the United States has violated its international legal obligations vis-à-vis the Islamic Republic of Iran and is responsible for compensation of all the damages it has brought about.

The Government of the Islamic Republic of Iran strongly protests against such an undiplomatic and unlawful act and calls for the immediate release of the detainees and the prosecution of the perpetrators of the said attack.

It is evident that the Government of the United States is responsible for any possible consequences of the delay in releasing the aforesaid persons.

The Embassy of Switzerland in Tehran is requested to bring the contents of this note verbale to the attention of the respective authorities of the United States Government promptly and to inform the Ministry of Foreign Affairs of the Islamic Republic of Iran of the results.

The Ministry of Foreign Affairs of the Islamic Republic of Iran avails itself of this opportunity to renew to the Embassy of Switzerland in Tehran the assurances of its highest consideration.

Embassy of Switzerland (the Interest Section of the United States of America)
Tehran

United Nations A/61/707–S/2007/29

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Security Council

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22 January 2007
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General Assembly
Sixty-first session
Agenda item 13
The situation in the Middle East

Security Council
Sixty-second year

Identical letters dated 19 January 2007 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I transmit to you herewith a statistical summary of Israeli violations during the period from 8 to 14 January 2007 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under agenda item 13, and of the Security Council.

(*Signed*) Caroline **Ziade**
Chargé d'affaires a.i.

07-21607 (E) 230107 240107

Annex to the identical letters dated 19 January 2007 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

Air violations

On 8 January 2007, between 0759 hours and 1040 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea in an easterly direction and circled over the southern regions. It then departed Lebanese airspace over Aalma al-Chaab.

On the same date, between 1838 hours and 1958 hours, two enemy Israeli warplanes violated Lebanese airspace over the sea off Chekka in an easterly direction and circled over Chekka. They then headed south and circled over the southern regions. They then departed Lebanese airspace over Rmaich.

On 9 January 2007, between 0930 hours and 1325 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over Aalma al-Chaab. It headed in the direction of the Bekaa and circled over the areas of Rayak and Al-Taiba. It then headed south and departed Lebanese airspace over Kfar Kila.

On the same date, between 1025 hours and 1515 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off Tyre, and circled over the South region. It then departed Lebanese airspace over Al-Naqoura.

On 10 January 2007, between 0709 hours and 1015 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off Tyre, and circled over the southern regions. It then departed Lebanese airspace over the sea off Al-Naqoura.

On the same date, between 1153 hours and 1157 hours, four enemy Israeli warplanes violated Lebanese airspace over the sea off Chekka in an easterly direction up to a distance of five miles off the coast. They then returned towards the West, and departed Lebanese airspace over the sea off Chekka. They then came back and violated Lebanese airspace at the same location at 1205 hours. Two of the planes went as far as Baalbek, and the other two circled over the sea off Chekka at a distance of five miles off the coast. They then all departed Lebanese airspace at 1250 hours over the sea in the direction of Al-Naqoura.

On the same date, between 0959 hours and 1300 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over the sea off Al-Naqoura in an easterly direction, and circled over the southern regions. It then departed Lebanese airspace over the sea off Al-Naqoura.

On the same date, between 1104 hours and 1410 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over Aalma al-Chaab in a northerly direction, and circled over the southern regions. It then departed Lebanese airspace over Al-Naqoura.

On the same date, between 1218 hours and 1300 hours, two enemy Israeli warplanes violated Lebanese airspace over Kfar Kila in a northerly direction as far as the city of Tripoli. They circled over Tripoli, Chekka and Al-Arz, and headed east

as far as Baalbek and Al-Hermel. They then departed Lebanese airspace over the sea off Chekka.

On the same date, between 1319 hours and 1325 hours, two enemy Israeli warplanes violated Lebanese airspace over the sea off Al-Damour in a southerly direction. They then departed Lebanese airspace over Aalma al-Chaab.

On the same date, between 1356 hours and 1710 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over Al-Naqoura in a northerly direction, and circled over the southern regions. It then departed Lebanese airspace over Aalma al-Chaab.

On the same date, at 1814 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over Aalma al-Chaab in a northerly direction as far as the Bekaa, and circled over the Rayak and Al-Taiba regions. It then headed south and overflew the regions of the South. It then departed Lebanese airspace on 11 January 2007 at 0105 hours over the occupied Shab'a farmlands.

On 11 January 2007, between 0759 hours and 1940 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over Aalma al-Chaab in a northerly direction, and circled over the regions of the South. It then departed Lebanese airspace over Rmaich.

On the same date, between 1059 hours and 1340 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace over Al-Naqoura in an easterly direction, and circled over the regions of the South. It then departed Lebanese airspace over Aalma al-Chaab.

At 1150 hours on 11 January 2007, Israeli warplanes overflew the occupied Shab'a farmlands at moderate altitude.

At 1400 hours on 11 January 2007, on the outskirts of the town of Aaita al-Chaab at the Khallet Warda location, an enemy Israeli force entered Lebanese territory. Its personnel proceeded to detonate an explosive device, and then withdrew at 1600 hours. On the same date Lebanese Army personnel also detonated a bomb left behind by the Israeli aggression at the same location.

Sea violations

On 12 January 2007, at 1834 hours, in the open sea off Ras al-Naqoura, an enemy Israeli military launch fired a burst of medium-weapons fire and a flare shell over the water, and shone a spotlight in the direction of separation buoys for a brief period.

Field violations

On 13 January 2007, between 1815 hours and 1900 hours, enemy Israeli forces shone a spotlight from their Radar outpost (inside the occupied Shab'a farmlands) in the direction of Lebanese territory at the Wadi Jan'am location (outside the town of Shab'a).

On 14 January 2007, between 2145 hours and 2200 hours, at the Khallet Warda location (opposite Aaita al-Chaab), an enemy Israeli patrol proceeded to shine spotlights in the direction of the town's forests and the area surrounding the Army checkpoint at Al-Qaouzah junction.

Israeli activities

On 9 January 2007, between 1605 hours and 1630 hours, enemy Israeli forces proceeded to strafe the area around its outpost at Fashkul (inside the occupied Shab'a farmlands) with medium and light machine guns.

On the same date, between 1940 hours and 2020 hours, the sound of enemy Israeli forces armoured vehicle movements was heard between the Ramta and Fashkul outposts (inside the occupied Sha'ba farmlands). The aforementioned forces also strafed the area around their outpost in Fashkul intermittently with medium weapons.

On 10 January 2007, between 2120 hours and 2200 hours, an enemy Israeli helicopter overflew the Ruwaysat al-'Alam and Sammaqa outposts (inside the occupied Shab'a farmlands).

On 11 January 2007, at 1200 hours at the Khallet Warda location (between Aaita al-Chaab and Ramiye), 15 enemy Israeli forces personnel crossed several metres over the technical line without crossing the Blue Line. They detonated a bomb at 1545.

On the same date between 1050 hours and 1630 hours, enemy Israeli forces fired several rounds from the Sammaqa, Ramta and Fashkul outposts (inside the occupied Shab'a farmlands).

On the same date, between 1630 hours and 2010 hours, over the Jabal al-Tayyarat outpost in occupied Palestinian territory (across from the town of Yaroun), enemy Israeli forces proceeded to launch six flare bombs and open fire with light weapons.

On 12 January 2007, between 1045 hours and 1230 hours, two enemy Israeli military helicopters overflew the Ruwaysat al-'Alam and Ramta outposts (inside the occupied Shab'a farmlands).

On the same date, between 0745 hours and 0930 hours, enemy Israeli armoured vehicle movements were observed between the Ramta and Sammaqa outposts (inside the occupied Shab'a farmlands).

On the same date, between 1930 hours and 2040 hours, an enemy Israeli helicopter and a reconnaissance aircraft overflew the occupied Shab'a farmlands.

On 14 January 2007, at 1200 hours, the sound of several explosions was heard inside Palestinian territory across from Ras al-Naqoura.

On the same date, between 1705 hours and 1815 hours, enemy Israeli forces strafed the area around its outpost in Ramta (inside the occupied Shab'a farmlands).

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Security Council

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General Assembly
Sixty-first session
Agenda item 100
Measures to eliminate international terrorism

Security Council
Sixty-second year

Letter dated 18 January 2007 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a statement issued by the Ministry of Foreign Affairs of the Republic of Cuba concerning the fact that on 11 January 2007, the Government of the United States, which for over 18 months has been protecting the international terrorist Luis Posada Carriles, indicted him only on charges of naturalization fraud and making false statements in a naturalization proceeding.

The Ministry of Foreign Affairs of Cuba hopes that this indictment of the terrorist Posada Carriles for minor immigration offences will not be used as a smokescreen to allow him to go unpunished for the serious crime of terrorism, or as a pretext for continuing to ignore the request for his extradition submitted on 15 June 2005 by the Government of the Bolivarian Republic of Venezuela for his part in the bombing of a Cubana de Aviación aircraft, to which no answer has yet been received.

I should be grateful if you would have this letter circulated as a document of the General Assembly under agenda item 100, and of the Security Council.

(*Signed*) Rodrigo **Malmierca Diaz**
Ambassador
Permanent Representative

07-21660 (E) 230107 240107

Annex to the letter dated 18 January 2007 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

Statement issued by the Ministry of Foreign Affairs of the Republic of Cuba

15 January 2007

The international press has reported that on 11 January 2007 the Government of the United States of America, which for over 18 months has been protecting the international terrorist Luis Posada Carriles, was forced to indict him on charges of naturalization fraud and making false statements in a naturalization proceeding.

The United States Government was forced to admit that our Commander-in-Chief was correct when, in April 2005, while commenting on information published in the Mexican newspapers *Que Quintana Roo se Entere* and *Por Esto*, he repeatedly asserted that for nearly a month Posada Carriles had resided, with complete impunity, in United States territory, to which he had travelled on the vessel *Santrina* after having been picked up in Isla Mujeres by Santiago Álvarez Fernández-Magriña and other terrorists.

When the United States Government was forced to arrest him on 17 May 2005, after having allowed him to reside illegally in United States territory for two months, the terrorist wove a web of lies to the effect that he had entered the United States over land via the Mexican city of Matamoros, that he had not been in Cancún or Isla Mujeres, that while travelling through Mexico he had never seen the vessel *Santrina*, and that he had never seen Santiago Álvarez or any of the other terrorists who, as revealed by our Commander-in-Chief, accompanied him on his journey from Mexico to the United States.

In the indictment of 11 January 2007, the United States Government alleges that Posada was guilty of fraud and lying, since, "in fact, he entered the United States ... by sea aboard the motor vessel 'Santrina' ... travelled to Cancun and Isla Mujeres ... boarded that vessel in Mexico ... and travelled thereon to the United States" and Santiago Álvarez, Osvaldo Mitat, Rubén López Castro and José Pujol "were with him aboard the motor vessel 'Santrina' during his passage aboard that motor vessel from Mexico to the United States".

The United States Government often forgets that the truth has always been a key weapon of the Cuban Revolution. Now, almost two years later, it has had no choice but to admit this.

The Administration of Mexico's President Vicente Fox, in response to Cuba's request that it conduct an in-depth investigation of Posada Carriles's passage through that country, officially informed our Government on 25 May 2005 that it had no record of the terrorist's entry into Mexican territory. It also indicated that the vessel *Santrina* had arrived in Isla Mujeres on 14 March 2005 and that the vessel, after refuelling, had left that locality with the same crew members with whom it had arrived; Luis Posada Carriles, it said, was not among them.

In its 11 January indictment the United States Government makes no mention of terrorism. That Government has full knowledge and evidence of the countless

acts of terrorism committed by Posada Carriles, including the downing of a Cubana de Aviación aircraft in 1976 and acts of terrorism perpetrated against Cuban hotels in 1997, one of which took the life of Fabio Di Celmo, a young Italian tourist.

For the United States Government, the only course of action consistent with the international treaties on terrorism to which it is a party and with the provisions of its own laws would have been to acknowledge from the outset that Luis Posada Carriles is a terrorist and to indict him on charges of terrorism. That would have avoided the lengthy immigration proceedings in El Paso, whose only objective was to protect him in order to prevent the disclosure of the many secrets he knows with regard to the imperial Power's covert operations, illegal acts and links with the anti-Cuban mafia, especially during the time when the father of the current President of the United States was Director of the Central Intelligence Agency (CIA).

The Ministry of Foreign Affairs hopes that this indictment of the terrorist Posada Carriles for minor immigration offences will not be used as a smokescreen to allow him to go unpunished for the serious crime of terrorism, or as a pretext for continuing to ignore the request for his extradition submitted on 15 June 2005 by the Government of the Bolivarian Republic of Venezuela for his part in the bombing of a Cubana de Aviación aircraft, to which no answer has yet been received.

The next test for the Administration of President Bush will come on 1 February, when it will have to respond to Judge Philip Martinez's order that it justify the continued detention of Posada Carriles, in accordance with section 412 of the USA PATRIOT Act; to that end, it will have to acknowledge that his release "will threaten the national security of the United States or the safety of the community or any person". The moment of truth has arrived. The victims' relatives are demanding justice. The Cuban people share their grief and fully support them. Now we shall see what this President and self-appointed "world leader of the war on terror" will do.

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General Assembly

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Sixty-first session
Agenda item 122
Scale of assessments for the apportionment of the expenses of the United Nations

Letter dated 23 January 2007 from the Secretary-General to the President of the General Assembly

1. At present 16 Member States are in arrears under the terms of Article 19 of the Charter of the United Nations, which states:

> A Member of the United Nations which is in arrears in the payment of its financial contributions to the Organization shall have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years. The General Assembly may, nevertheless, permit such a Member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the Member.

2. The minimum payments necessary to reduce the amounts owed by those Member States on their contributions so that they remain below the gross amount assessed for the preceding two full years (2005 and 2006) are as follows:

Member State	*Minimum payment (United States dollars)*
Central African Republic	372 600.00
Chad	20 100.00
Comoros[a]	761 000.00
Côte d'Ivoire	222 600.00
Dominica	21 000.00
Georgia[a]	4 693 964.10
Guinea-Bissau[a]	510 600.00
Kyrgyzstan	600.00
Liberia[a]	1 063 700.00
Niger[a]	348 900.00
Palau	29 700.00
Saint Lucia	29 251.00

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Member State	*Minimum payment (United States dollars)*
Sao Tome and Principe[a]	614 700.00
Seychelles	55 600.00
Somalia[a]	1 043 000.00
Tajikistan[a]	1 001 230.84

[a] In its resolution 61/2 of 12 October 2006, the General Assembly decided that the Central African Republic, the Comoros, Georgia, Guinea-Bissau, Liberia, the Niger, Sao Tome and Principe, Somalia and Tajikistan should be permitted to vote in the General Assembly until the end of its sixty-first session.

(Signed) **Ban** Ki-moon
Secretary-General

United Nations A/61/709*

General Assembly

Distr.: General
29 January 2007

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Sixty-first session
Agenda item 122
Scale of assessments for the apportionment of the expenses of the United Nations

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1. At present 16 Member States are in arrears under the terms of Article 19 of the Charter of the United Nations, which states:

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Dominica	21 000.00
Georgia[a]	4 693 964.10
Guinea-Bissau[a]	510 600.00
Kyrgyzstan	600.00
Liberia[a]	1 063 700.00
Niger[a]	348 900.00
Palau	29 700.00

* Reissued for technical reasons.

07-21822* (E) 290107

Member State	*Minimum payment (United States dollars)*
Saint Lucia	29 251.00
Sao Tome and Principe[a]	614 700.00
Seychelles	55 600.00
Somalia[a]	1 043 000.00
Tajikistan[a]	1 001 230.84

[a] In its resolution 61/2 of 12 October 2006, the General Assembly decided that the Central African Republic, the Comoros, Georgia, Guinea-Bissau, Liberia, the Niger, Sao Tome and Principe, Somalia and Tajikistan should be permitted to vote in the General Assembly until the end of its sixty-first session.

(*Signed*) **Ban** Ki-moon
Secretary-General

United Nations A/61/710

General Assembly

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23 January 2007

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Sixty-first session
Agenda item 39
Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Letter dated 22 January 2007 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

I am writing to advise you that a new constitution for Gibraltar was given effect by an Order-in-Council on 14 December 2006. It came into force on 2 January 2007.

The draft text of this constitution was put to the people of Gibraltar in a referendum on 30 November, and was approved by them. This followed a unanimous decision by the Gibraltar House of Assembly to hold a referendum. The United Kingdom regards the referendum as democratic, lawful and entirely proper. Geoff Hoon, the Minister for Europe, also confirmed, on 4 July 2006, that the Government of the United Kingdom regards the referendum as an exercise of the right of self-determination by the people of Gibraltar.

I enclose the text of this new constitution* and an accompanying dispatch, which I have sent to the Governor of Gibraltar. The new constitution recognizes the right of self-determination of the Gibraltarian people. The realization of that right must be promoted and respected in conformity with the provisions of the Charter of the United Nations and any other applicable international treaties. At the same time, the United Kingdom does not believe that the principle of territorial integrity is applicable to the decolonization of Gibraltar. British sovereignty of Gibraltar remains undiminished, and the United Kingdom retains its full international responsibility for Gibraltar's external relations and defence, and as the Member State responsible for Gibraltar in the European Union. For nationality purposes, Gibraltar will remain listed as a British Overseas Territory in the British Nationality Act of 1981, as amended by the British Overseas Territory Act 2002.

As the dispatch states, the new constitution provides for a modern relationship between Gibraltar and the United Kingdom. I do not think that this description would apply to any relationship based on colonialism. It has also been the long-standing view of the United Kingdom that none of its remaining overseas territories,

* www.gibraltar.gov.

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including Gibraltar, should remain on the United Nations list of non-self-governing territories, despite the different circumstances affecting Gibraltar (namely the stated position of the United Kingdom that independence is not an option without Spanish consent, by virtue of the Treaty of Utrecht). However, we regard the criteria used by the United Nations Special Committee on Decolonization as outdated, and believe that the criteria fail to take account of the way that relationships between the United Kingdom and its overseas territories have been modernized, in a way that is acceptable to both parties. The United Kingdom does not, therefore, engage formally with the Committee in seeking the de-listing of any of its territories.

I should be grateful if you would arrange for the text of the present letter to be circulated as a document of the General Assembly under agenda item 39.

(*Signed*) Emyr **Jones Parry**

United Nations A/61/711–S/2007/35

General Assembly
Security Council

Distr.: General
24 January 2007

Original: English

General Assembly
Sixty-first session
Agenda item 14
Question of Palestine

Security Council
Sixty-second year

Letter dated 23 January 2007 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

In my capacity as Chair of the Coordinating Bureau of the Non-Aligned Movement, I have the honour to enclose herewith the statement of the Coordinating Bureau of the Non-Aligned Movement reiterating support for the establishment of an independent and sovereign Palestinian State based on the 1967 borders, with East Jerusalem as its capital, and supporting the Palestinian struggle and their leadership in rejecting the so-called Palestinian State with provisional borders (see annex).

Furthermore, I formally request that the aforementioned document be circulated as a document of the General Assembly, under agenda item 14, and of the Security Council.

(*Signed*) Rodrigo **Malmierca Díaz**
Permanent Representative of Cuba to the United Nations
Chair of the Coordinating Bureau of the Non-Aligned Movement

07-22027 (E) 250107

Annex to the letter dated 23 January 2007 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

Statement of the Coordinating Bureau of the Non-Aligned Movement reiterating support for the establishment of an independent and sovereign Palestinian State based on the 1967 borders, with East Jerusalem as its capital, and supporting the Palestinian people and their leadership in rejecting the so-called Palestinian State with provisional borders

The Coordinating Bureau of the Non-Aligned Movement reaffirms its support for President Mahmoud Abbas, the President of the Palestinian National Authority and the Chairman of the Executive Committee of the Palestine Liberation Organization, in his rejection to a so-called Palestinian State with provisional borders. This so-called provisional State would in essence only be an entity under the domain and control of Israel as the occupying Power rather than a sovereign and independent State. The Bureau rejects attempts to alter the terms of reference of the peace process and further rejects the imposition of unilateral measures and plans aimed at imposing an unlawful unilateral solution by Israel, the occupying Power. In this regard, the Bureau also condemns the plans by the Israeli government to build a new illegal settlement in the Jordan Valley and its expansion of the illegal settlement of "Maale Adumim" in Occupied East Jerusalem in violation of international law, United Nations resolutions and the Road Map. The Bureau stresses the need for a resumption of direct and substantial negotiations between the parties for the achievement of a comprehensive, just and lasting peaceful settlement to the question of Palestine, based on the relevant United Nations resolutions and in accordance with the rules and principles of international law enshrined therein. In this regard, the Bureau reiterates the necessity and urgency of ending the prolonged and unlawful Israeli occupation of all of the Arab territories occupied since 1967. The Bureau further reaffirms its long-standing position in support of the establishment of the independent State of Palestine in all of the Palestinian Territory occupied by Israel in 1967, including East Jerusalem as its capital.

The Coordinating Bureau of the Non-Aligned Movement reiterates its support for this position to be strongly expressed by President Abbas in the upcoming summit that will take place between Israel, Palestine and the United States of America. The Bureau calls for efforts at the Summit to focus on the "end game", in which Israel's occupation would be brought to a complete end to allow for the establishment of an independent Palestinian State based on the 1967 borders, with East Jerusalem as its capital, in accordance with relevant United Nations resolutions, the Road Map as well as the Arab Peace Initiative.

The Coordinating Bureau of the Non-Aligned Movement demands that Israel, the occupying Power, immediately cease all of its violations of international law, including international humanitarian law and human rights law. The Bureau expresses its deep regret that the Israeli government has continued to intensify its aggression against the Palestinian people throughout the Occupied Palestinian Territory rather than heeding to the calls made by the international community to extend the ceasefire to the rest of the Occupied Palestinian Territory, including East

Jerusalem. The Bureau reflected upon the recent military incursion by Israeli occupying forces, in which at least four Palestinians were killed and 25 injured in Ramallah on 4 January 2007. In this regard, the Bureau expresses its disappointment that efforts by the members of the Movement in the Security Council to address this serious issue were obstructed for well-known reasons, thus preventing the Council from discharging its responsibilities under the Charter of the United Nations.

New York, 22 January 2007

United Nations A/61/712

General Assembly

Distr.: General
24 January 2007

Original: English

Sixty-first session
Agenda item 51 (b)
Macroeconomic policy questions: international financial system and development

Letter dated 23 January 2007 from the Permanent Representative of Honduras to the United Nations addressed to the Secretary-General

I have the honour to inform you that the Government of Honduras has issued a press communiqué concerning the situation pertaining to oil terminals in Honduras under executive decree PCM No.-03-2007. In the communiqué, issued by the Ministry of Foreign Affairs (see annex), the Government provides information in order to ensure due transparency with regard to the procurement process.

Excellency, I request that this letter and the attached communiqué be circulated as a document of the General Assembly under agenda item 51 (b).

(*Signed*) Iván **Romero Martinez**
Permanent Representative of Honduras to the United Nations

07-22033 (E) 250107 260107

Annex to the letter dated 23 January 2007 from the Permanent Representative of Honduras to the United Nations addressed to the Secretary-General

[Original: Spanish]

I have the honour to submit the attached press communiqué issued on 16 January 2006 concerning the regulation of oil terminals belonging to the company Petróleos de Tela, S.A., in order to provide official information pertaining to this subject matter:

PRESS COMMUNIQUÉ

The Ministry of Foreign Affairs hereby informs the national and international public that on 13 January 2007, the President of the Republic José Manuel Zelaya Rosales and the Council of Ministers passed executive decree PCM No.-03-2007, and in that connection, with a view to ensuring access to reliable information, points out the following:

1. Use of the term "expropriation" distorts the facts. The fact is that through the decree dated 13 January 2007, the State decided to regulate oil supply terminals in order to establish fair remuneration for such service, not to expropriate or to nationalize.

2. The regulation of the terminals pertains only to those of the company Petróleos de Tela, S.A., which holds a valid contract with the State. Paragraph 5.4 of the fifth clause of said contract, published in Decree No. 112-90 dated 20 September 1990 pertaining to the power of the State, literally reads: "The State shall use at cost the facilities of the contractor in order to store, transport, and ship the oil products that it may need in case of national emergency; furthermore, should the State so need, it shall lease the facilities at cost once the contract has expired."

16 January 2006

(*Signed*) Eduardo Enrique **Reina García**
Acting Minister of State

United Nations A/61/713

General Assembly

Distr.: General
25 January 2007
English
Original: Russian

Sixty-first session
Agenda item 44
Culture of peace

Letter dated 25 January 2007 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit the texts of the statement by the State Duma of the Federal Assembly of the Russian Federation in connection with the adoption of the act on the protection of military grave sites by the Parliament of the Republic of Estonia (see annex I) and the decision of the State Duma of the Federal Assembly of the Russian Federation on the statement by the State Duma of the Russian Federation in connection with the adoption of the act on the protection of military grave sites by the Parliament of the Republic of Estonia (see annex II) and to request that you issue and circulate the statement and the decision as documents of the sixty-first session of the General Assembly under agenda item 44.

(*Signed*) V. **Churkin**

07-22152 (E) 300107 310107

Annex I to the letter dated 25 January 2007 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

Statement by the State Duma in connection with the adoption of the act on the protection of military grave sites by the Parliament of the Republic of Estonia

The State Duma of the Federal Assembly of the Russian Federation confirms its position set forth in the statement of 15 November 2006 on manifestations of neo-Nazi and revanchist sentiments in Estonia and firmly condemns the adoption by the Estonian Parliament of the act on the protection of military grave sites. That act, aimed at eradicating the memory of the victims in the struggle against fascism, bears witness to the intention of the Estonian authorities, despite the will of the States in the anti-Hitler coalition, to continue their course of glorifying Nazism and justifying its ideology.

In the current situation, the deputies to the State Duma consider it necessary to declare the impossibility of further contacts with the representatives of the political forces in Estonia that initiated the consideration and adoption of the aforementioned act. The deputies to the State Duma also address an appeal to Mr. V. V. Putin, President of the Russian Federation, and to the Government of the Russian Federation to consider the question of future Russian-Estonian cooperation in the light of the manner in which Estonian authorities carry out the provisions of the aforementioned act and also bearing in mind Federal Act No. 281-F3 of 30 December 2006 on special economic measures. In the event that the communal military graves are destroyed in Estonia, the Government of the Russian Federation must, in the view of the deputies to the State Duma, take steps to re-inter in the Russian Federation the remains of those who fell in the fight against fascism. The State Duma supports the initiatives taken by the public in the Russian Federation and Estonia to preserve the memorials to the soldier-liberators in the Republic of Estonia.

The State Duma views as unacceptable the tendency in world public opinion to relax its awareness of the danger of a rebirth of Nazi ideology and renews its call to European parliaments and international organizations to make a principled assessment of the actions of the Estonian authorities.

Moscow, 17 January 2007

Annex II to the letter dated 25 January 2007 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

Decision of the State Duma on the statement by the State Duma of the Federal Assembly of the Russian Federation in connection with the adoption of the act on the protection of military grave sites by the Parliament of the Republic of Estonia

The State Duma of the Federal Assembly of the Russian Federation *decides*:

1. To adopt the statement by the State Duma of the Federal Assembly of the Russian Federation in connection with the adoption of the act on the protection of military grave sites by the Parliament of the Republic of Estonia;

2. To send the present decision and the aforementioned statement to Mr. V. V. Putin, President of the Russian Federation; the Government of the Russian Federation; the United Nations; the Parliamentary Assembly of the Council of Europe; the Parliamentary Assembly of the Organization for Security and Cooperation in Europe; the Parliamentary Assembly of the North Atlantic Treaty Organization; the European Parliament; and the Parliament of the Republic of Estonia;

3. To send the present decision and the aforementioned statement to the Parliamentary Gazette for official publication;

4. The present decision shall enter into force on the date of its adoption.

(*Signed*) B. V. **Gryzlov**
Chairman of the State Duma of the
Federal Assembly of the Russian Federation

Moscow, 17 January 2007

United Nations A/61/714–S/2007/38

General Assembly
Security Council

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25 January 2007

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General Assembly
Sixty-first session
Agenda item 16
The situation in Afghanistan

Security Council
Sixty-second year

Letter dated 25 January 2007 from the Permanent Representative of Pakistan to the United Nations addressed to the Secretary-General

With reference to the letter of 9 January 2007 from Rangin Dadfar Spanta, Minister for Foreign Affairs of the Islamic Republic of Afghanistan (A/61/695-S/2007/13, annex), I am directed by my Government to convey the following.

Pakistan is cooperating fully with Afghan and coalition forces to promote peace and security in Afghanistan. This is in Pakistan's vital interests also. Security in Afghanistan is threatened by the multiple threats from warlords, criminals, the drug mafia and intertribal rivalries as well as the resurgence of the Taliban. As the last report of the Secretary-General (A/61/326-S/2006/727) indicates, the main sources of the Taliban insurgency are within Afghanistan.

The Afghan Government and others have emphasized the need to prevent cross-border movement of Taliban and other militants. The 2,560-km international border between Afghanistan and Pakistan, traversing some of the most difficult mountainous terrain in the world, with the tribes straddling the border, is difficult to control.

To do so, Pakistan has taken several far-reaching measures. These include the deployment of over 80,000 troops, the establishment of 938 military posts along the international border with Afghanistan and direct military action against those elements in areas bordering Afghanistan who have been indulging in cross-border militancy. In the process more than 700 soldiers and officers of Pakistan's Armed Forces have lost their lives.

Pakistan also maintains close cooperation and coordination with Afghanistan under the framework of the Tripartite Commission headed by four-star generals of the Pakistan Army, the International Security Assistance Force/NATO and the Afghan Army. There is also an intelligence-sharing arrangement with a view to countering militancy.

07-22129 (E) 250107

However, preventing cross-border movement by militants is a joint responsibility of Pakistan, Afghanistan and the coalition forces. A commensurate effort is required on the other side of the border, where fewer than 40,000 troops are deployed and only 100 military posts exist.

Keeping in view the above factors, and on the basis of its own security assessment of the situation, Pakistan has asked its Armed Forces to work out modalities for selective mining and fencing on its side of the international border with Afghanistan. In doing so, utmost care will be taken to ensure that the sites of selective mining will be clearly marked, and designated crossing points will be established to allow the movement of extended families and tribes living on both sides of the international border. We are also introducing documentation for such movement so as to check crossings by undesirable elements.

Pakistan is not party to the Ottawa Convention and is therefore not bound by its provisions. Amended Protocol II of the Convention on Certain Conventional Weapons, to which Pakistan is a party, permits the use of landmines or other measures to address the legitimate security requirements of States while addressing humanitarian concerns.

According to our initial survey and study, Pakistan would need to fence or mine a small portion of the length of the border to prevent militants from exploiting areas of difficult terrain to cross the border in both directions. The elaboration of the modalities and subsequent implementation of the plan will take some time. Meanwhile, my Government will be open to reviewing the position if better alternatives to mining become available to control the border.

At present, along the 22 frequented routes where we maintain border posts, every day over 40,000 persons and 14,000 vehicles cross the border in both directions. Pakistan is planning to gradually regulate movement across the international border while respecting the "easement" rights traditionally enjoyed by the tribal population on the two sides. We expect cooperation from the Afghanistan Government to ensure such better regulation. Unregulated traffic is not in the interest of either country. In this context, we note with concern the negative reaction from the Afghan side to the recent introduction of a biometric border-control system by Pakistan at one of the main border crossings.

The problem of cross-border militancy is closely related to the presence of over 3 million Afghan refugees in Pakistan. We have hosted these refugees since 1979. Two million Afghan refugees are in camps, some of which are close to the international border. Over 1 million Afghan refugees live in urban centres of the North West Frontier Province and Baluchistan. The Taliban militants are able to blend in with these refugees, making their detection more difficult. We would like to see all Afghan refugees repatriated to Afghanistan as soon as possible. We look forward to international assistance and the cooperation of the Afghan Government for the immediate relocation of some of the camps near the border to inside Afghanistan. These camps have often given rise to complaints that they provide shelter to undesirable elements and Taliban.

Pakistan will continue to extend its cooperation to promote peace and stability in Afghanistan and combat terrorism in all its forms. We hope the Afghan Government and others concerned will accept their own responsibilities to address the multiple challenges to Afghanistan's security which arise from causes within that country.

I would be grateful if you would have the present letter circulated as a document of the General Assembly and of the Security Council.

(*Signed*) Munir **Akram**
Ambassador
Permanent Representative